

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

UNITED STATES OF AMERICA)
)
)
) Case No. 1:06-CR-140-004
v.)
)
) Chief Judge Curtis L. Collier
)
SIDNEY PETTY)

O R D E R

On May 1, 2007, United States Magistrate Judge William B. Mitchell Carter conducted a plea hearing in this case and filed a Report and Recommendation (“R&R”), which recommends (1) the Court accept the defendant’s guilty plea to Count One of the Indictment, to the extent it charges the lesser included offenses of conspiracy to distribute 500 grams or more of a mixture and substance containing cocaine hydrochloride in violation of 21 U.S.C. §§ 846, 841(a)(1) & (b)(1)(B); (2) the Court adjudicate the defendant guilty of those charges to which he has pleaded; (3) the Court accept the defendant’s plea agreement at the time of sentencing; and (4) the defendant be taken into custody pending sentencing (Court File No. 182).

Neither party has filed objections to the R&R within the given ten days. Therefore, after reviewing the record, the Court **ACCEPTS** and **ADOPTS** the R&R (Court File No. 182) pursuant to 28 U.S.C. § 636(b)(1), and **ORDERS** as follows:

- (1) The defendant’s guilty plea as to the lesser included offenses of Count One of the Indictment is **ACCEPTED**;
- (2) The defendant is hereby **ADJUDGED** guilty of the charges to which he has pleaded;
- (3) A decision to accept the plea agreement is **DEFERRED** until sentencing; and

(4) The defendant **SHALL BE TAKEN** into custody until sentencing in this matter.

Sentencing is set for **Thursday, August 9, 2007, at 2:00 p.m.**

SO ORDERED.

ENTER:

/s/

**CURTIS L. COLLIER
CHIEF UNITED STATES DISTRICT JUDGE**